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Federal Agencies

March 3, 2004

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Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Art Unit 1646

Re: U.S. Utility Patent Application
Application No. 10/648,825; Filed: August 27, 2003
For: **Death Domain Containing Receptor 5**
Inventors: *Ni et al.*
Our Ref: 1488.131000C/EKS/EJH

Sir:

Transmitted herewith for appropriate action are the following documents:

1. Information Disclosure Statement;
2. A listing of the cited documents (AA1-AJ1, AL1-AL3, AR1-AS5) on form PTO-1449 (5 pages);
3. First Supplemental Information Disclosure Statement;
4. A listing of the cited documents (AM3, AT5, AR6-AS7) on form PTO-1449 (3 pages);
5. Second Supplemental Information Disclosure Statement;
6. A listing of the cited document (AK1) on form PTO-1449 (1 page);
7. Third Supplemental Information Disclosure Statement;
8. A listing of the cited documents (AA2 and AB2) on form PTO-1449 (1 page);
9. Fourth Supplemental Information Disclosure Statement;

Commissioner for Patents
March 3, 2004
Page 2

10. A listing of the cited documents (AN3-AP3, AT7-AS10) on form PTO-1449 (4 pages);
11. Fifth Supplemental Information Disclosure Statement;
12. A listing of the cited documents (AC2, AT10-AT13) on form PTO-1449 (4 pages);
13. Sixth Supplemental Information Disclosure Statement;
14. A listing of the cited documents (AD2, AE2, AR14-AT15) on form PTO-1449 (2 pages); and
15. Return Postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Elizabeth J. Haanes, Ph.D.
Attorney for Applicants
Registration No. 42,613

EJH/MEK:krc
Enclosures

236773v1



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:
Ni *et al.*
Appl. No. 10/648,825
Filed: August 27, 2003
For: **Death Domain Containing
Receptor 5**

Confirmation No. 3624
Art Unit: 1646
Examiner: *To be assigned*
Atty. Docket: 1488.131000C/EKS/EJH

Information Disclosure Statement

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98. Copies of documents AA1 to AJ1 are not provided in accordance with the U.S. Patent and Trademark Office pre-OG notice of July 11, 2003, which states "[t]he Office hereby waives the requirement under 37 CFR 1.98 (a)(2)(i) for submitting a copy of each cited U.S. patent and each U.S. patent application publication for all U.S. national patent applications filed after June 30, 2003." Copies of the remaining documents are provided.

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Elizabeth J. Haanes
Attorney for Applicants
Registration No. 42,613

Date: March 3, 2007

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SKGF Rev. 4/28/00 mac



FORM PTO-1449

INFORMATION DISCLOSURE STATEMENTATTY. DOCKET NO.
1488.131000C/EKS/EJHAPPLICATION NO.
10/648,825APPLICANT
Ni et al.FILING DATE
August 27, 2003GROUP
1646**U.S. PATENT DOCUMENTS**

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	AA1	4,002,531	01/11/1977	Royer			01/22/1976
	AB1	4,946,778	08/07/1990	Ladner et al.			01/19/1989
	AC1	5,349,053	09/20/1994	Landolfi			06/10/1993
	AD1	5,447,851	09/05/1995	Beutler et al.			04/02/1992
	AE1	5,478,925	12/26/1995	Wallach et al.			08/07/1992
	AF1	5,530,101	06/25/1996	Queen et al.			12/19/1990
	AG1	5,565,332	10/15/1996	Hoogenboom et al.			09/23/1994
	AH1	5,643,575	07/01/1997	Martinez et al.			10/27/1993
	AI1	5,763,223	06/09/1998	Wiley et al.			06/25/1996
	AJ1	5,807,715	09/15/1998	Morrison et al.			06/27/1994
	AK						

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AL1	EP 0 239 400	09/30/1987	Europe			Yes No
	AM1	EP 0 401 384	12/12/1990	Europe			Yes No
	AN1	WO 91/06570	05/16/1991	WIPO			Yes No
	AO1	WO 91/09967	07/11/1991	WIPO			Yes No
	AP1	CA 2045869	12/29/1991	Canada			Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

AR	1	Uhlén, M., et al., "Fusion proteins in biotechnology," <i>Curr. Opin. Biotechnol.</i> 3:363-369, Current Biology Ltd. (1992).
AS	1	Chinnaiyan, A.M., et al., "Signal Transduction by DR3, a Death Domain-Containing Receptor Related to TNFR-1 and CD95," <i>Science</i> 274:990-992, American Association for the Advancement of Science (November 1996).
AT	1	Delgado, C., et al., "The Uses and Properties of PEG-Linked Proteins," <i>Crit. Rev. Ther. Drug Carrier Sys.</i> 9:249-304, CRC Press (1992).

EXAMINER _____ DATE CONSIDERED _____

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

FORM PTO-1449 <u>INFORMATION DISCLOSURE STATEMENT</u>		ATTY. DOCKET NO. 1488.131000C/EKS/EJH		APPLICATION NO. 10/648,825	
		APPLICANT Ni et al.			
		FILING DATE August 27, 2003		GROUP 1646	

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	AJ						
	AK						

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AL2	EP 0 510 691	10/28/1992	Europe			Yes No
	AM2	WO 94/01548	01/20/1994	WIPO			Yes No
	AN2	WO 95/06058	03/02/1995	WIPO			Yes No
	AO2	WO 98/32856	07/30/1998	WIPO			Yes No
	AP2	WO 98/35986	08/20/1998	WIPO			Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

AR	2	NCBI Entrez, GenBank Report, Accession No. Z66083, "H. sapiens CpG island DNA genomic MseI fragment," clone 75a7, reverse read cpg75a7.rt1a, accessed 12/1998, Oct. 23, 1995.
AS	2	NICBI Entrez, GenBank Report, Accession No. AA232440 (Feb. 28, 1997).
AT	2	NCBI Entrez, GenBank Report, Accession No. AA223122 (Feb 19, 1997).

EXAMINER

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		FILING DATE August 27, 2003		GROUP 1646	
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FOREIGN PATENT DOCUMENTS							
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AL3	EP 0 870 827 A2	10/14/1998	Europe			Yes No
	AM						Yes No
	AN						Yes No
	AO						Yes No
	AP						Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)							
	AR	3	Huston, J.S., et al., "Protein Engineering of Single-Chain Fv Analogs and Fusion Proteins," <i>Methods in Enzymol.</i> 203:46-88, Academic Press (1991).				
	AS	3	Morpurgo, M., et al., "Covalent Modification of Mushroom Tyrosinase with Different Amiphilic Polymers for Pharmaceutical and Biocatalysis Applications," <i>Appl. Biochem. Biotechnol.</i> 56:59-72, Humana Press (January 1996).				
	AT	3	Morrison, S.L., "Transfectomas Provide Novel Chimeric Antibodies," <i>Science</i> 229:1202-1207, American Association for the Advancement of Science (1985).				

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		APPLICANT Ni et al.	
		FILING DATE August 27, 2003	GROUP 1646

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	AM						Yes No
	AN						Yes No
	AO						Yes No
	AP						Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)							
	AR	4	Pan, G., et al., "The Receptor for the Cytotoxic Ligand TRAIL," <i>Science</i> 276:111-113, American Association for the Advancement of Science (April 1997).				
	AS	4	Pan, G., et al., "An Antagonist Decoy Receptor and a Death Domain-Containing Receptor for TRAIL," <i>Science</i> 277:815-818, American Association for the Advancement of Science (August 1997).				
	AT	4	Roguska, M.A., et al., "Humanization of murine monoclonal antibodies through variable domain resurfacing," <i>Proc. Natl. Acad. Sci.</i> 91:969-973, National Academy of Sciences (1994).				

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	AL						Yes No
	AM						Yes No
	AN						Yes No
	AO						Yes No
	AP						Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

AR	5	Sheridan, J.P., et al., "Control of TRAIL-Induced Apoptosis by a Family of Signaling and Decoy Receptors," <i>Science</i> 277:818-821, American Association for the Advancement of Science (August 1997).				
AS	5	Wiley, et al., Identification and characterization of a new member of the TNF family that induces apoptosis," <i>Immunity</i> 3:673-682, Cell Press (1995).				
AT						

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:
Ni *et al.*
Appl. No. 10/648,825
Filed: August 27, 2003
For: **Death Domain Containing
Receptor 5**

Confirmation No. 3624
Art Unit: 1646
Examiner: *To be assigned*
Atty. Docket: 1488.131000C/EKS/EJH

First Supplemental Information Disclosure Statement

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98. The numbering on this First Supplemental Information Disclosure Statement is a continuation of numbering in Applicants' Information Disclosure Statement filed herewith in connection with the above-captioned application. A copy of each document is also provided.

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Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Elizabeth J. Haanes, Ph.D.
Attorney for Applicants
Registration No. 42,613

Date: March 3, 2004

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SKGF Rev. 4/27/00 mac



FORM PTO-1449

FIRST SUPPLEMENTAL
INFORMATION DISCLOSURE STATEMENT

ATTY. DOCKET NO.
1488.131000C/EKS/EJH

APPLICATION NO.
10/648,825

APPLICANT
Ni et al.

FILING DATE
August 27, 2003

GROUP
1646

U.S. PATENT DOCUMENTS

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FOREIGN PATENT DOCUMENTS

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	AL						Yes No
	AM3	WO 99/02653	01/21/1999	WIPO			Yes No
	AN						Yes No
	AO						Yes No
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OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AR		
	AS		
	AT	5	Chaudhary, P.M., et al., "Death Receptor 5, a New Member of the TNFR Family, and DR4 Induce FADD-Dependent Apoptosis and Activate the NF- κ B Pathway," <i>Immunity</i> 7:821-830, Cell Press (December 1997).

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			APPLICANT Ni et al.	
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	AL						Yes No
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	AN						Yes No
	AO						Yes No
	AP						Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

AR	6	Marsters, S.A., et al., "A novel receptor for APO2L/TRAIL contains a truncated death domain," <i>Curr. Biol.</i> 7:1003-1006, Current Biology Ltd. (December 1997).
AS	6	Rieger, J., et al., "APO2 ligand: a novel lethal weapon against malignant glioma?" <i>FEBS Lett.</i> 427:124-128, Federation of European Biochemical Societies (May 1998).
AT	6	Schneider, P., et al., "TRAIL Receptors 1 (DR4) and 2 (DR5) Signal FADD-Dependent Apoptosis and Activate NF- κ B," <i>Immunity</i> 7:831-836, Cell Press (December 1997).

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	AR	7	Sheikh, S.M., et al., "p53-dependent and -independent Regulation of the Death Receptor KILLER/DR5 Gene Expression in Response to Genotoxic Stress and Tumor Necrosis Factor α ," Cancer Res. 58:1593-1598, American Association for Cancer Research (April 1998).				
	AS	7	Zamai, L., et al., "Natural killer (NK) Cell-mediated Cytotoxicity: Differential Use of TRAIL and Fas Ligand by Immature and Mature Primary Human NK Cells," J. Exp. Med. 188:2375-2380, Rockefeller University Press (December 1998).				
	AT						

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In re application of:	Confirmation No. 3624
Ni <i>et al.</i>	Art Unit: 1646
Appl. No. 10/648,825	Examiner: <i>To be assigned</i>
Filed: August 27, 2003	Atty. Docket: 1488.13100C/EKS/EJH
For: Death Domain Containing Receptor 5	

Second Supplemental Information Disclosure Statement

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PO Box 1450
Alexandria, VA 22313-1450

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Attorney for Applicants
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Date: March 3, 2004

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Washington, D.C. 20005-3934
(202) 371-2600



FORM PTO-1449 SECOND SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT		ATTY. DOCKET NO. 1488.131000C/EKS/EJH	APPLICATION NO. 10/648,825
		APPLICANT Ni et al.	
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AB						
AC						
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AK1	6,072,047	06/06/2000	Rauch et al.			06/26/1997

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
AL						Yes No
AM						Yes No
AN						Yes No
AO						Yes No
AP						Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

AR			
AS			
AT			

EXAMINER	DATE CONSIDERED
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:	Confirmation No. 3624
Ni <i>et al.</i>	Art Unit: 1646
Appl. No. 10/648,825	Examiner: <i>To be assigned</i>
Filed: August 27, 2003	Atty. Docket: 1488.131000C/EKS/EJH
For: Death Domain Containing Receptor 5	

Third Supplemental Information Disclosure Statement

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98. The numbering on this Third Supplemental Information Disclosure Statement is a continuation of numbering in Applicants' Second Supplemental Information Disclosure Statement filed herewith in connection with the above-captioned application.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

This Third Supplemental Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits. No statement or fee is required.

Copies of documents are not provided in accordance with the U.S. Patent and Trademark Office pre-OG notice of July 11, 2003, which states "[t]he Office hereby waives the requirement under 37 CFR 1.98 (a)(2)(i) for submitting a copy of each cited U.S. patent and each U.S. patent application publication for all U.S. national patent applications filed after June 30, 2003."

It is respectfully requested that the Examiner initial and return a copy of the enclosed PTO-1449, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

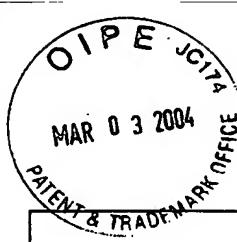
STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Elizabeth J. Haanes, Ph.D.
Attorney for Applicants
Registration No. 42,613

Date: March 3, 2004

1100 New York Avenue, N.W.
Washington, D.C. 20005-3934
(202) 371-2600



FORM PTO-1449 <u>THIRD SUPPLEMENTAL</u> <u>INFORMATION DISCLOSURE STATEMENT</u>		ATTY. DOCKET NO. 1488.131000C/EKS/EJH	APPLICATION NO. 10/648,825
		APPLICANT Ni et al.	
		FILING DATE August 27, 2003	GROUP 1646

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	AA2	6,313,269 B1	11/06/2001	Deen et al.			06/15/1999
	AB2	6,342,369 B1	01/29/2002	Ashkenazi			05/14/1998
	AC						
	AD						
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FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AL						Yes No
	AM						Yes No
	AN						Yes No
	AO						Yes No
	AP						Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

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EXAMINER	DATE CONSIDERED
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:	Confirmation No. 3624
Ni <i>et al.</i>	Art Unit: 1646
Appl. No. 10/648,825	Examiner: <i>To be assigned</i>
Filed: August 27, 2003	Atty. Docket: 1488.131000C/EKS/EJH
For: Death Domain Containing Receptor 5	

Fourth Supplemental Information Disclosure Statement

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98. The numbering on this Fourth Supplemental Information Disclosure Statement is a continuation of the numbering in Applicants' Third Supplemental Information Disclosure Statement filed herewith in connection with the above-captioned application.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered. This statement should not be construed as a representation that a search

has been made, or that information more material to the examination of the present patent application does not exist.

This Fourth Supplemental Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits. No statement or fee is required.

Copies of the documents were cited by or submitted to the Office in an IDS that complies with 37 C.F.R. § 1.98(a)-(c) in Application No. 09/565,009, filed May 4, 2000, which is relied upon for an earlier filing date under 35 U.S.C. § 120. Thus, copies of the documents are not attached. 37 C.F.R. § 1.98(d).

Consideration of the cited documents and making the same of record in the prosecution of the above-identified application is respectfully requested. The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Elizabeth J. Haanes, Ph.D.
Attorney for Applicants
Registration No. 42,613

Date: March 3, 2004

1100 New York Avenue, N.W.
Washington, D.C. 20005-3934
(202) 371-2600

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FORM PTO-1449 <u>FOURTH SUPPLEMENTAL</u> <u>INFORMATION DISCLOSURE STATEMENT</u>		ATTY. DOCKET NO. 1488.131000C/EKS/EJH	APPLICATION NO. 10/648,825
		APPLICANT Ni et al.	
		FILING DATE August 27, 2003	GROUP 1646

U. S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	AA						
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	AK						

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AL						Yes No
	AM						Yes No
	AN3	WO 98/46643 A1	10/22/1998	WIPO			Yes No
	AO3	WO 98/51793 A1	11/19/1998	WIPO			Yes No
	AP3	WO 99/00423 A1	01/07/1999	WIPO			Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AR		
	AS		
	AT	7	Beutler, B., and Cerami, A., "Tumor Necrosis, Cachexia, Shock, and Inflammation: A Common Mediator," Ann. Rev. Biochem. 57:505-518, Annual Reviews Inc. (1988)

EXAMINER	DATE CONSIDERED
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

FORM PTO-1449 <u>FOURTH SUPPLEMENTAL</u> <u>INFORMATION DISCLOSURE STATEMENT</u>		ATTY. DOCKET NO. 1488.131000C/EKS/EJH	APPLICATION NO. 10/648,825
		APPLICANT Ni et al.	
		FILING DATE August 27, 2003	GROUP 1646

U. S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	AA						
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FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AL						Yes No
	AM						Yes No
	AN						Yes No
	AO						Yes No
	AP						Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

AR	<u>8</u>	Fiers, W., "Tumor necrosis factor. Characterization at the molecular, cellular and in vivo level," <i>FEBS Lett.</i> 285:199-212, Elsevier Science B.V. (1991)
AS	<u>8</u>	Goeddel, D.V., et al., "Tumor Necrosis Factors: Gene Structure and Biological Activities," <i>Cold Spring Harb. Symp. Quant. Biol.</i> 51(Pt. 1):597-609, Cold Spring Harbor Laboratory Press (1986)
AT	<u>8</u>	Golstein, P., "Cell death: TRAIL and its receptors," <i>Curr. Biol.</i> 7:R750-R753, Current Biology Ltd. (December 1997)

EXAMINER	DATE CONSIDERED
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

FORM PTO-1449 <u>FOURTH SUPPLEMENTAL</u> <u>INFORMATION DISCLOSURE STATEMENT</u>		ATTY. DOCKET NO. 1488.131000C/EKS/EJH	APPLICATION NO. 10/648,825
		APPLICANT Ni et al.	
		FILING DATE August 27, 2003	GROUP 1646

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	AA						
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FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AL						Yes No
	AM						Yes No
	AN						Yes No
	AO						Yes No
	AP						Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

AR	<u>9</u>	Gruss, H.-J., and Dower, S.K., "Tumor Necrosis Factor Ligand Superfamily: Involvement in the Pathology of Malignant Lymphomas," <i>Blood</i> 85:3378-3404, The American Society of Hematology (1995)
AS	<u>9</u>	Locksley, R.M., et al., "The TNF and TNF Receptor Superfamilies: Integrating Mammalian Biology," <i>Cell</i> 104:487-501, Cell Press (February 2001)
AT	<u>9</u>	Nagata, S., "Apoptosis by Death Factor," <i>Cell</i> 88:355-365, Cell Press (February 1997)

EXAMINER	DATE CONSIDERED
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

FORM PTO-1449 FOURTH SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT		ATTY. DOCKET NO. 1488.131000C/EKS/EJH	APPLICATION NO. 10/648,825
		APPLICANT Ni et al.	
		FILING DATE August 27, 2003	GROUP 1646

U. S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	AA						
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FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AL						Yes No
	AM						Yes No
	AN						Yes No
	AO						Yes No
	AP						Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

AR	<u>10</u>	Old, L.J., "Tumor Necrosis Factor," <i>Scientific American</i> , pp. 59-75, <i>Scientific American</i> , Inc. (May 1988)
AS	<u>10</u>	Wallach, D., "TNF Ligand and TNF/NGF Receptor Families," in <i>Cytokine Reference. A compendium of cytokines and other mediators of host defense</i> , Oppenheim, J.J., et al., eds., Academic Press, Inc., San Diego, CA, pp. 377-411 (August 2000)
AT		

EXAMINER	DATE CONSIDERED
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:
Ni *et al.*
Appl. No. 10/648,825
Filed: August 27, 2003
For: **Death Domain Containing
Receptor 5**

Confirmation No. 3624
Art Unit: 1646
Examiner: *To be assigned*
Atty. Docket: 1488.131000C/EKS/EJH

Fifth Supplemental Information Disclosure Statement

Commissioner of Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98. The numbering on this Fifth Supplemental Information Disclosure Statement is a continuation of the numbering in Applicants' Fourth Supplemental Information Disclosure Statement filed herewith in connection with the above-captioned application.

Applicants wish to direct the Examiner's attention to the following documents:

Statement of Grounds and Particulars filed in opposition to Human Genome Sciences, Inc., Australian Patent Application 747635 (67635/98) by Genentech, Inc; and

Statutory Declaration of Avi Ashkenazi, signed March 14, 2003, with Exhibits AJA1 to AJA3, AJA5, and AJA7 to AJA10.

Exhibit AJA-4 was cited previously as AO3 in Applicants' Fourth Supplemental Information Disclosure Statement filed herewith. Exhibit AJA-6 was cited previously as

AS4 in Applicants' First Information Disclosure Statement, filed herewith. The above-listed documents were brought to the attention of the Applicants in connection with an opposition to an Australian application that essentially corresponds to the U.S. priority application in this case.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered. This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist.

This Fifth Supplemental Information Disclosure Statement is being filed before the mailing date of the first Office Action on the merits. No statement or fee is required.

Copies of the documents were cited by or submitted to the Office in an IDS that complies with 37 C.F.R. § 1.98(a)-(c) in Application No. 09/565,009, filed May 4, 2000, which is relied upon for an earlier filing date under 35 U.S.C. § 120. Thus, copies of these documents are not attached. 37 C.F.R. § 1.98(d).

Consideration of the cited documents and making the same of record in the prosecution of the above-identified application is respectfully requested. The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

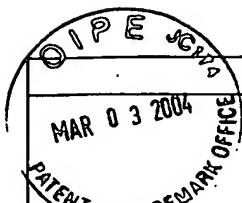


Elizabeth J. Haanes, Ph.D.
Attorney for Applicants
Registration No. 42,613

Date: March 3, 2004

1100 New York Avenue, N.W.
Washington, D.C. 20005-3934
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SKGF Rev 1/24/02 mac; 4/18/03 svb



FORM PTO-1449
FIFTH SUPPLEMENTAL
INFORMATION DISCLOSURE STATEMENT

ATTY. DOCKET NO.
1488.131000C/EKS/EJH

APPLICATION NO.
10/648,825

APPLICANT
Ni et al.

FILING DATE
August 27, 2003

GROUP
1646

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	AA						
	AB						
	AC 2	6,569,642 B1	05/27/ 2003	Rauch et al.	435	69.1	03/27/2000
	AD						
	AE						
	AF						
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	AI						
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FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AL						Yes No
	AM						Yes No
	AN						Yes No
	AO						Yes No
	AP						Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AR		
	AS		
	AT	10	Brojatsch, J., et al., "CAR1, a TNFR-Related Protein, Is a Cellular Receptor for Cytopathic Avian Leukosis-Sarcoma Viruses and Mediates Apoptosis," <i>Cell</i> 87:845-855, Cell Press (November 1996)

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

FORM PTO-1449 FIFTH SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT			ATTY. DOCKET NO. 1488.131000C/EKS/EJH		APPLICATION NO. 10/648,825		
			APPLICANT Ni et al.				
			FILING DATE August 27, 2003		GROUP 1646		
U.S. PATENT DOCUMENTS							
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	AA						
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FOREIGN PATENT DOCUMENTS							
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AL						Yes No
	AM						Yes No
	AN						Yes No
	AO						Yes No
	AP						Yes No
OTHER (Including Author, Title, Date, Pertinent Pages, etc.)							
	AR	<u>11</u>	Chapman, B.S., "A region of the 75 kDa neurotrophin receptor homologous to the death domains of TNFR-I and Fas," <i>FEBS Lett.</i> 374:216-220, Elsevier (1995)				
	AS	<u>11</u>	Rabizadeh, S., et al., "Induction of Apoptosis by the Low-Affinity NGF Receptor," <i>Science</i> 261:345-348, American Association for the Advancement of Science (1993)				
	AT	<u>11</u>	Tartaglia, L.A., et al., "A Novel Domain within the 55 kd TNF Receptor Signals Cell Death," <i>Cell</i> 74:845-853, Cell Press (1993)				
EXAMINER					DATE CONSIDERED		
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.							

FORM PTO-1449 FIFTH SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT		ATTY. DOCKET NO. 1488.131000C/EKS/EJH	APPLICATION NO. 10/648,825
		APPLICANT <i>Ni et al.</i>	
		FILING DATE August 27, 2003	GROUP 1646

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	AA						
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FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AL						Yes No
	AM						Yes No
	AN						Yes No
	AO						Yes No
	AP						Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AR	<u>12</u>	Statutory Declaration of Avi J. Ashkenazi, signed March 14, 2003
	AS	<u>12</u>	Curriculum vitae of Avi Ashkenazi
	AT	<u>12</u>	Copy of provisional U.S. application 60/040,846, inventor <i>Ni et al.</i> , filed March 17, 1997
EXAMINER			DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

FORM PTO-1449 FIFTH SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT		ATTY. DOCKET NO. 1488.131000C/EKS/EJH	APPLICATION NO. 10/648,825
		APPLICANT Ni <i>et al.</i>	
		FILING DATE August 27, 2003	GROUP 1646

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	AA						
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	AJ						
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FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AL						Yes No
	AM						Yes No
	AN						Yes No
	AO						Yes No
	AP						Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AR	<u>13</u>	Copy of provisional U.S. application 60/054,021, inventor Ni <i>et al.</i> , filed July 29, 1997
	AS	<u>13</u>	Copy of U.S. application 08/857,216, inventor Ashkenazi, filed May 15, 1997
	AT	<u>13</u>	Statement of Grounds and Particulars filed in opposition to Human Genome Sciences, Inc., Australian Patent Application 747635 (67635/98) by Genentech, Inc.

EXAMINER	DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Ni *et al.*

Appl. No. 10/648,825

Filed: August 27, 2003

For: **Death Domain Containing
Receptor 5**

Confirmation No. 3624

Art Unit: 1646

Examiner: *To be assigned*

Atty. Docket: 1488.131000C/EKS/EJH

Sixth Supplemental Information Disclosure Statement

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98. The numbering on this Sixth Supplemental Information Disclosure Statement is a continuation of the numbering in Applicants' Fifth Supplemental Information Disclosure Statement filed herewith in connection with the above-captioned application. Copies of documents AD2 and AE2 are not provided in accordance with the U.S. Patent and Trademark Office pre-OG notice of July 11, 2003, which states "[t]he Office hereby waives the requirement under 37 CFR 1.98 (a)(2)(i) for submitting a copy of each cited U.S. patent and each U.S. patent application publication for all U.S. national patent applications filed after June 30, 2003." Copies of the remaining documents are provided.

The Examiner's attention is directed to the following co-pending U.S. patent applications:

U.S. Application No. 09/042,583, filed March 17, 1998;

U.S. Application No. 09/565,009, filed May 4, 2000;

U.S. Application No. (not assigned), filed February 2, 2004;

which are directed to related technical subject matter. The identification of these U.S. patent applications is not to be construed as a waiver of secrecy as to these applications now or upon issuance of the present application as a patent. The Examiner is respectfully requested to consider the cited applications and the art cited therein during examination.

Applicants wish to bring to the attention of the Examiner that SEQ ID NO. 1 and the corresponding cDNA clone of this application are related to SEQ ID NOs. 7851 and 190763 in copending U.S. Patent Application Serial No. 09/912,293. A legible copy of that portion of U.S. Patent Application No. 09/912,293 which caused it to be listed on the attached Form PTO-1449 is submitted herewith as Document AT15.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

This Sixth Supplemental Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits. No statement or fee is required.

It is respectfully requested that the Examiner initial and return a copy of the enclosed PTO-1449, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



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FORM PTO-1449 <u>SIXTH SUPPLEMENTAL</u> <u>INFORMATION DISCLOSURE STATEMENT</u>		ATTY. DOCKET NO. 1488.131000C/EKS/EJH	APPLICATION NO. 10/648,825
		APPLICANT Ni et al.	
		FILING DATE August 27, 2003	GROUP 1646

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
AA							
AB							
AC							
AD <u>2</u>	2002/0072091	06/13/2002	Ni et al.				06/06/2001
AE <u>2</u>	2002/0098550	07/25/2002	Ni et al.				12/07/2001
AF							
AG							
AH							
AI							
AJ							
AK							

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AL						Yes No
	AM						Yes No
	AN						Yes No
	AO						Yes No
	AP						Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AR	<u>14</u>	Tartaglia, L.A., et al., "The two different receptors for tumor necrosis factor mediate distinct cellular responses," <i>Proc. Natl. Acad. Sci. USA</i> 88:9292-9296, National Academy of Sciences (1991).
	AS	<u>14</u>	Tartaglia, L.A., and Goeddel, D.V., "Tumor Necrosis Factor Receptor Signaling," <i>J. Biol. Chem.</i> 267:4304-4307, The American Society for Biochemistry and Molecular Biology, Inc. (1992).
	AT	<u>14</u>	Pending Non-Provisional United States Patent Application No. 09/042,583, Ni et al., filed March 17, 1998 (NOT PUBLISHED).

EXAMINER	DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

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	AL						Yes No
	AM						Yes No
	AN						Yes No
	AO						Yes No
	AP						Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AR	<u>15</u>	Pending Non-Provisional United States Patent Application No. 09/565,009, Ni et al., filed May 4, 2000 (NOT PUBLISHED).
	AS	<u>15</u>	Pending Non-Provisional United States Patent Application No. not assigned, Ni et al., filed February 2, 2004 (NOT PUBLISHED).
	AT	<u>15</u>	Pending Non-Provisional U.S. Patent Application No. 09/912,293, filed July 26, 2001, NOT PUBLISHED: pages 1-75 (pages 1 + 2 partially redacted); portion of Table 2; and SEQ ID NOS.: 7851 and 190763.

EXAMINER	DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.